

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
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ELECTRONICALLY FILED
DOC#:
DATE FILED: 3/27/19

JOEL VILLAR, PRIMITIVO MARTINEZ,
JUAN CARLOS FLORES, EDWIN
SANCHEZ, RENE PERALTA, EDGAR
CAZAREZ, and LISA BROWN, *on behalf of
themselves and others similarly situated,*

Plaintiffs,

v.

PRANA HOSPITALITY, INC., and RAJIV
SHARMA,

Defendants.

No. 14-CV-8211 (RA)

ORDER ADOPTING REPORT AND
RECOMMENDATION

RONNIE ABRAMS, United States District Judge:

Plaintiffs Rhiana Hernandez, Tanya Manolcheva, Rabin Osborne, and Samuel J. Rosenthal (the “Opt-In Plaintiffs”) seek compensatory damages, liquidated damages, and statutory penalties from Prana Hospitality, Inc. and Rajiv Sharma for alleged violations of the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* and the New York Labor Law § 650 *et seq.* This action was initially brought by seven plaintiffs on behalf of themselves and as representatives of a putative class of similarly situated employees on October 14, 2014. Defendants defaulted, and the matter was referred to Magistrate Judge Francis for an inquest. The Court thereafter granted permission for the Opt-In Plaintiffs to seek damages, and the referral was reassigned to Magistrate Judge Lehrburger. Now before the Court is Magistrate Judge Lehrburger’s Report and Recommendation, to which no objections were made.


A district court is not required to review the factual or legal conclusions of a magistrate judge as to those portions of a report and recommendation to which no objections are addressed.

See Thomas v. Arn, 474 U.S. 140, 150, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985). No party has objected to the Report, and the time to do so has passed. *See* Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1)(c). When the parties make no objections to the Report, the Court may adopt the Report if “there is no clear error on the face of the record.” *Adee Motor Cars, LLC v. Amato*, 388 F. Supp. 2d 250, 253 (S.D.N.Y. 2005) (citation omitted). The Court has identified only two minor errors in the Report: it listed two different numbers for Tanya Manolcheva’s unpaid party work (\$1,200 and \$800), *see* Report at 16, and for Rabin Osborne’s unpaid party work (\$1,200 and \$900). *See id.* at 18. In both cases, only the latter number was correct. These apparent typographical errors did not, however, affect the proper calculation of both individuals’ total amounts owed. Apart from this, the Court’s review finds no error, clear or otherwise, and accordingly, adopts Magistrate Judge Lehrburger’s thorough and well-reasoned Report and Recommendation in its entirety.

No later than April 4, 2019, Plaintiffs’ counsel shall confirm that this matter may be closed in its entirety.

SO ORDERED.

Dated: March 27, 2019
New York, New York



Ronnie Abrams
United States District Judge